



## **Resolution Related to Determination of Publicly Suspended Presidential Campaigns Pursuant to Section 2-122(a) of the Election Law**

**WHEREAS**, pursuant to Election Law § 2-122-a, eleven designating petitions were filed with the State Board of Elections designating eleven candidates for the Democratic Presidential primary; and

**WHEREAS**, numerous candidates for delegates pledged to certain presidential candidates also filed designating petitions with the State Board of Elections or applicable local board of elections; and

**WHEREAS**, since the filing of these petitions, ten presidential candidates have publicly announced that they are no longer seeking the nomination for the office of president of the United States, or that they are terminating or suspending their campaign; and

**WHEREAS**, Election Law § 2-122-a (13) provides that: "if a candidate for office of the president of the United States...publicly announces that they are no longer seeking the nomination for the office of president of the United States, or if the candidate announces that they are terminating or suspending their campaign, or if the candidate sends a letter to the state board of elections indicating they no longer wish to appear on the ballot, the state board of elections may determine...that the candidate is no longer eligible and omit said candidate from the ballot; provided, however, that for any candidate of a major political party, such determination shall be solely made by the commissioners of the state board of elections who have been appointed on the recommendation of such political party or the legislative leaders of such political party, and no other commissioner of the state board of elections shall participate"; and

**WHEREAS**, Election Law § 2-122-a (14) provides that if the presidential candidate is removed from the ballot, the delegates pledged to such candidates are likewise removed from the ballot; and

**WHEREAS**, pursuant to Election Law § 3-100; the Commissioners adopting this resolution are the appointed Democratic commissioners and, as such, are authorized to

determine that a presidential candidate for the Democratic nomination is no longer eligible as a designated candidate.

**NOW THEREFORE BE IT RESOLVED:** that, pursuant to the public declarations made by the relevant presidential candidates, the following candidates are no longer eligible as a designated Democratic Primary candidate, and their names shall be omitted from the Democratic Primary ballot:

Michael Bennet

Michael R. Bloomberg

Pete Buttigieg

Tulsi Gabbard

Amy Klobuchar

Deval Patrick

Bernie Sanders

Tom Steyer

Elizabeth Warren

Andrew Yang.

**Resolution Adopted April 27, 2020**

**Douglas A. Kellner, Co-Chair and Commissioner**

**Andrew Spano, Commissioner**